

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

MICHAEL S., )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 1:21-cv-00161-RLY-MJD  
 )  
 KILOLO KIJAKAZI, Acting Commissioner of )  
 Social Security Administration, )  
 )  
 Defendant. )


**ORDER ADOPTING REPORT AND RECOMMENDATION**

On December 16, 2021, the Magistrate Judge issued a Report and Recommendation, recommending the Commissioner's motion to remand for another hearing be denied, that the Commissioner's decision denying Plaintiff's claim for benefits be reversed, and that this case be remanded to the Commissioner with instructions to calculate an award of benefits to Plaintiff. Neither party objects. Consequently, the court reviews the Report and Recommendation for clear error. *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

After reviewing the record, the court finds that the Magistrate Judge did not commit clear error and therefore **ADOPTS** the Magistrate Judge's Report and Recommendation (Filing No. 21). Accordingly, the Commissioner's Motion to Remand (Filing No. 19) for another hearing is **DENIED**, the Commissioner's decision denying

Plaintiff's claim is **REVERSED**, and this case is **REMANDED** to the Commissioner with instructions to calculate and award benefits to Plaintiff.

**SO ORDERED** this 11<sup>th</sup> day of January 2022.



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RICHARD L. YOUNG, JUDGE  
United States District Court  
Southern District of Indiana

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